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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/522,043	BORZA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kambiz Zand	2132	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/10/2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 10 June 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/023,460.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|--|

**THOMAS R. PEESO**  
**PRIMARY EXAMINER**

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Examiner approves corrected drawings filed by applicant on 06/10/2004.
4. **Claims 1-6, 9 and 11** have been amended.
5. **Claims 1-20** are pending.

### ***Response to Arguments***

6. Applicant's arguments filed 06/10/04 have been fully considered and they are persuasive.

### **Allowable Subject Matter**

7. **Claims 1-20 are allowed.**
8. The following is an examiner's statement of reasons for allowance: Tomko (4,876,725) disclose a method and a device for using an imaging device comprising an integrated circuit, the integrated circuit having a plurality of imaging sensors in a known arrangement for sensing an image provided

thereto and for providing an output signal indicative of the sensed image (see abstract; fig.3b where the integrated circuit of 56 has a arrangement for sensed image of the fingerprint), where the location depends on the spectrum of the white light source through series of wave lengths), the method comprising the steps of: sensing with a first image sensor of the plurality of imaging sensor (see col.5, lines 14-26), a first signal to provide first sensed data (see col.5, lines 25-26 and 57-59 where the spatial Fourier transforms is formed as a first sensed data), wherein at least a portion of the first sensed data comprises noise presented to or from within the device (see col.5, lines 27-31); sensing with a second image sensor of the plurality of imaging sensor, and where in col.6, lines 29-67 where the second sensed image that is reflected of the first is compared to the first fingerprint or sensed image by correlation between of reflecting of Fourier transform of the prints at the face of prism from the hologram of the card; lines 28-33 of col.6 disclose that all the beams have a noise beam inherent in them that is being removed by activating the white light source.

Hoffman (5,706,218) discloses generating a number within a random sequence of numbers providing the number within the random sequence of numbers (see abstract;fig.1; col.1, lines 50-67-col.3 where generation of a number within a random sequence number are detailed. However Tomko and Hoffman's system and method singly or in combination are in contrast with specific steps of applicant's invention as it is detailed in

Applicant's arguments dated 06/10/ 2004 as recited in **independent claims 1, 9, 11, 12 and 18.**

**9. Dependent claims 2-8, 10, 13-17 and 19-20** as being dependent upon Independent claims 1, 12 and 18 and having additional allowable features therein.

### **Conclusion**

10. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.


Art Unit: 2132

Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

07/27/04



THOMAS R. PEESO  
PRIMARY EXAMINER